

AMENDED IN ASSEMBLY APRIL 27, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2653

**Introduced by Assembly Members Eduardo Garcia, Eggman,
Cristina Garcia, and Gomez**

February 19, 2016

An act to add Section 12893.5 to the Government Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

AB 2653, as amended, Eduardo Garcia. Greenhouse Gas Reduction Fund: report.

The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature. Existing law requires state agencies to submit annually to the Secretary for Environmental Protection a specified report that includes, among other things, a list of measures that have been adopted and implemented by that state agency to meet greenhouse gas emission reduction targets, as defined, and a status report on the actual greenhouse gas emissions reduced as a result of those measures.

This bill would create additional requirements on state agencies *and state entities* submitting that report, including, among other things, identifying the ~~types number~~ of business ~~entities~~ *entities, as defined*,

receiving moneys and the actions *and outcomes of those actions* taken to ~~connect~~ *assist* residents of disadvantaged communities, as defined, and other target ~~populations~~ *populations, as specified*, with the business, employment, and training opportunities offered through activities funded with moneys from the ~~fund~~ *fund and with any other state funding source that is related to climate change mitigation, climate change adaptation, and greenhouse gas emissions reductions*.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *The Legislature finds and declares all of the*
2 *following:*

3 (a) *Since the enactment of the California Global Warming*
4 *Solutions Act of 2006 (Division 25.5 (commencing with Section*
5 *38500) of the Health and Safety Code), the state has been*
6 *committed to taking actions to reduce its own greenhouse gas*
7 *emissions and serve as a catalyst for others to undertake their own*
8 *emissions reduction actions.*

9 (b) *The purpose of the state agency greenhouse gas reduction*
10 *report card, pursuant to Section 12892 of the Government Code,*
11 *is to ensure that state agencies consider and implement measures*
12 *and strategies that reduce greenhouse gas emissions and to*
13 *establish the routine, quantified, verified, consistent, and public*
14 *reporting of those measures along with their effectiveness in*
15 *reducing greenhouse gas emissions.*

16 (c) *The Department of Finance's three-year investment plan*
17 *for moneys deposited in the Greenhouse Gas Reduction Fund,*
18 *pursuant to Section 39716 of the Health and Safety Code, is*
19 *designed to identify near-term and long-term greenhouse gas*
20 *emissions reduction goals by sector, gaps in current state*
21 *strategies, and priority programmatic investments of moneys in*
22 *the fund. Annually, the Department of Finance reports on programs*
23 *funded with Greenhouse Gas Reduction Fund moneys, pursuant*
24 *to Section 39720 of the Health and Safety Code.*

25 (d) *The state agency greenhouse gas reduction report card and*
26 *the record of proposed expenditures, pursuant to Section 16428.9*
27 *of the Government Code, track state agency actions related to*
28 *moneys appropriated from the Greenhouse Gas Reduction Fund,*

1 *as well as key climate actions taken by state agencies using other*
2 *funding. These activities include the broadest range of climate*
3 *mitigation and reduction programs directed at small businesses*
4 *and distressed communities, including programs sponsored by the*
5 *State Energy Resources Conservation and Development*
6 *Commission, Cool California, the Department of Resources*
7 *Recycling and Recovery, and the State Air Resources Board.*

8 **SECTION 1.**

9 *SEC. 2.* Section 12893.5 is added to the Government Code, to
10 read:

11 12893.5. (a) *For purposes of this section, the following terms*
12 *have the following meanings:*

13 (1) *“Business entity” means any firm operating in the state as*
14 *a nonprofit, sole proprietorship, general partnership, limited*
15 *partnership, limited liability partnership, limited liability company,*
16 *or corporation.*

17 (2) *“Fund” means the Greenhouse Gas Reduction Fund, created*
18 *pursuant to Section 16428.8.*

19 (b) Each state ~~agency~~ *agency and state entity* that expends
20 moneys from the ~~Greenhouse Gas Reduction Fund, created~~
21 ~~pursuant to Section 16428.8,~~ *fund* shall submit as part of the report
22 card required pursuant to Section 12892 all of the following:

23 (a)

24 (1) The number of business entities receiving financial assistance
25 or entering into contracts paid, in whole or in part, using moneys
26 from the ~~Greenhouse Gas Reduction Fund.~~ *fund.*

27 (b)

28 (2) The amount of other public or private moneys leveraged
29 when business entities received the assistance described in
30 ~~subdivision (a).~~ *paragraph (1), as reported by the business entities.*

31 (c)

32 (3) The geographic location, industry sector, ~~gross revenue,~~ and
33 number of employees of the business entities described in
34 ~~subdivision (a).~~ *paragraph (1).*

35 (d)

36 (4) The number of jobs created, including wage ~~levels and~~
37 ~~education and training requirements set,~~ *levels,* by the business
38 entities described in ~~subdivision (a).~~ *paragraph (1).*

39 (e)

- 1 (5) (A) *Actions and outcomes from those actions taken to*
2 ~~connect~~ *assist* residents of disadvantaged communities, as identified
3 pursuant to Section 39711 of the Health and Safety Code, and
4 other target populations with the business, employment, and
5 training opportunities offered through activities funded in whole
6 or in part with moneys from the ~~Greenhouse Gas Reduction Fund~~.
7 *fund or other state funding sources overseen by the reporting state*
8 *agency that are directly related to climate change mitigation,*
9 *climate change adaptation, and GHG emissions reductions, as*
10 *determined by the state agency.*
- 11 (B) *The secretary shall identify the other target populations*
12 *referenced in subparagraph (A).*
- 13 (c) *At the discretion of the secretary, the information required*
14 *pursuant to paragraphs (2) to (5), inclusive, of subdivision (b) may*
15 *be reported as part of the report card required pursuant to Section*
16 *12892 or as part of any report required pursuant to Section 39716*
17 *or 39720 of the Health and Safety Code.*
- 18 (d) *This section shall apply to awards made by a state agency*
19 *on or after February 1, 2017.*